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Corgan, Brian

From: Corgan, Brian
Sent: Thursday, October 25, 2012 5:40 PM
To: 'David Lane'
Cc: 'Blanton, Stan'; Swanson, Richard A; Brown, Robert Preston
Subject: Vogtle Project Mediation

Mr. Lane:

In accordance with your letter to counsel dated October 15, 2012, and Mr. Swanson's email to you of October 20, 2012, this is to advise you that the parties have reached an unqualified agreement to continue the mediation until 8:00 p.m. EDT on November 1, 2012. The parties also have agreed that the sixty (60) Day period referenced in Section 27.4 (a) of the EPC Agreement will be deemed, solely for the purpose of this mediation, not to have expired prior to 8:00 p.m. EDT on November 1, 2012. Each party expressly reserves its position as to the commencement and expiration of the 60 Day period in Section 27.4 (a) in *STONE & WEBSTER, INC. et al v. GEORGIA POWER COMPANY et al* (1:12-cv-01226 / USDC District of Columbia) and *GEORGIA POWER COMPANY et al v. WESTINGHOUSE ELECTRIC COMPANY LLC et al* (1:12-cv-00123 / USDC Southern District of Georgia).

The parties also agree to forbear from filing any civil action arising from the Change Disputes or issues that are the subject of the present mediation prior to 8:00 p.m. EDT on November 1, 2012. If, and to the extent, the parties reach any further agreements concerning the mediation, we will advise you by written communication of any such mutual, unqualified agreement. The parties reserve their respective rights to seek the aid of any Court(s) prior to 8:00 p.m. EDT on November 1, 2012, relative to the filing method by which such civil action may be initiated. Please confirm your receipt of this e-mail and your concurrence that the mediation will continue as provided herein.

Thank you.

Brian G. Corgan



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